

UNITED STATES DISTRICT COURT  
for the  
Eastern District of New York

HELEN SWARTZ, Individually	)
	)
	)
	)
<hr/> <i>Plaintiff(s)</i>	)
v.	)
39TH AVE HOLDING, L.L.C., a New	)
York Limited Liability Company	)
	)
	)
<hr/> <i>Defendant(s)</i>	)

Civil Action No. 23-cv-7709 OEM-SJB

**SUMMONS IN A CIVIL ACTION**

To: *(Defendant's name and address)* 39TH AVE HOLDING L.L.C.  
c/o New York Secretary of State  
to be provided to The LLC  
25-20 39th Avenue  
Long Island City, NY 11101

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in **Fed. R. Civ. P. 12** (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: **Brandon Rotbart, Esq.**  
LAW OFFICE OF BRANDON A. ROTBART, P.A.  
11098 Biscayne Blvd., Suite 401-18  
Miami, FL 33161  
Phone: (305) 350-7400  
rotbart@rotbartlaw.com

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Brenna B. Mahoney

*CLERK OF COURT*

*Alisha Francis*

*Signature of Clerk or Deputy Clerk*

Date: 10/17/2023



Civil Action No. 23-cv-7709

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
on *(date)* \_\_\_\_\_; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
on *(date)* \_\_\_\_\_; or

I returned the summons unexecuted because \_\_\_\_\_; or

Other *(specify)*:

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 \_\_\_\_\_.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc: